



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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Serial Nos.: (09 Series)

009,837 008,947 009,294

110,160 110,694 110,717

009,455 110,678 111,003

501,622 225,687 362,693

EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

INTERVIEW SUMMARY

(Applicant's representative)

J. Melcher

J. S. Menauer

R. Mills

S. Brewer

All participants (applicant, applicant's representative, PTO personnel)

(1) W. Langel (exr)

(3) V. Jagannathan (consultant)

(2) S. Kalafut (exr)

(4) S. Griffin (SPE)

Date of Interview 2/21/01

D. Turner & S. Walsh (Observers)  
H. Sawtelle

Type: ☐ Telephonic ☐ Televideo Conference ☒ Personal (copy is given to ☐ applicant ☐ applicant's representative)

Exhibit shown or demonstration conducted: ☒ Yes ☐ No If yes, brief description: Slideshow & an attachment

Agreement ☐ was reached. ☐ was not reached.

Claim(s) discussed: All

Identification of prior art discussed:

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant clarified his theoretical viewpoint. Slide show referred to experimental data. Examiners advised that evidence must be submitted with the amendment in response to the outstanding office action. Applicant asked that an attachment be included.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

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Counsel for applicant requested disclosure of the following information as being reasonably related to the prosecution of the pending patent applications:

- 1) Identification of all Examiners and/or other Patent Office personnel, other than those who were identified in the pending Office Actions, were consulted, or otherwise provided input, in the formulation of the rejections of record;
- 2) Identification of all outside consultants and/or other technical personnel, including, but not limited to, those of NIST, who were consulted, or otherwise provided input, in the formulation of the rejections of record;

3) Identification of all Patent Office officials responsible for the withdrawal of App'n Ser. No. 009,294 from issuance, and clarification of the factual circumstances surrounding that withdrawal; and

4) Identification of any and all outside sources of information that may have precipitated, or otherwise contributed to, the Patent Office's withdrawal of App'n Ser. No. 009,294 from issuance.

The Patent office disagrees with Applicant's counsel that the above-identified information requested at the interview is germane to the issues raised in the pending Office Actions. The Patent office, therefore, <sup>refused to</sup> ~~will not~~ respond to these lines of inquiry during the interview.



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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/501622 09/11/003 Mills  
09/678730 09/501621  
09/009837 09/225687  
09/110678 10/076590  
09/111160 09/813792  
09/362693 09/009455  
09/669877

EXAMINER

W. A. Lange

ART UNIT PAPER NUMBER

1754

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Melcher (3) Examiner Kalafut  
(2) Examiner Lange (4) Dr. Mills  
Date of Interview 2-11-03 (5) Mr. Simonauer

Type: ☐ Telephonic ☐ Televideo Conference ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☒ Yes ☐ No If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: all

Identification of prior art discussed: none

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Dr. Mills wanted compounds of the novel hydrogen, as well as some lower energy hydrogen. He also gave the participants article entitled "Novel Catalytic Reaction of Hydrogen as Potential New Energy Source from PBS (cat. comp. 2)"

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has been ready been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

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page 1 of 4 Wayne A. Lange



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Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/30/622

Mills

EXAMINER
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W.A. Lange

ART UNIT	PAPER NUMBER
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1754

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) Stanley Silverman

(3) Ted Liu

(2) Pat Ryan

(4) Mr. Brewer

Date of Interview

(5) Examiner Wayner

Type: ☐ Telephonic ☐ Televideo Conference ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No If yes, brief description:

Agreement ☐ was reached. ☐ was not reached.

Claim(s) discussed:

Identification of prior art discussed:

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

(1) Major National Laboratory which is  
thickened proto. See also the Attachment.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has are ready been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

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page 2 of 4

Wayne A. Lange

2/13/03

ATTACHMENT TO INTERVIEW SUMMARY FORM

Applicant requested that the following points discussed at the interview held on February 11, 2003 be included as an Attachment to the Interview Summary Form.

Applicant's counsel and the Examiners in attendance at the interview agreed to meet again at a future date, either in person or by telephone, to continue discussions regarding the patentability of Applicant's pending patent applications. Specifically, the Examiners expressed concern that the Applicant's experimental evidence be commensurate with the scope of the claims. To address that concern, Applicant's counsel agreed with the Examiner to go through the patent <sup>applicant's</sup> claim-by-claim with the Examiners and demonstrate how the scientific data supports three claims.

page 3 of 4  
Wayne A. Langel

For ~~the~~ claims that are supported  
by the data, the PTO agrees to issue  
those claims. For those claims that  
the PTO determines are not supported by  
the data, Applicant will continue to  
seek that broader claim coverage in  
subsequent proceedings.





# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/362,693	07/29/1999	RANDELL L. MILLS	62-226-9A	7170

20736 7590 02/26/2003  
MANELLI DENISON & SELTER  
2000 M STREET NW SUITE 700  
WASHINGTON, DC 20036-3307

EXAMINER

LANGEL, WAYNE A

ART UNIT

PAPER NUMBER

1754

DATE MAILED: 02/26/2003

24

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	24

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Attached hereto is a "Supplement to Interview Summary" concerning the February 11, 2003 interview for Serial Nos. 09/501,622; 09/678,730; 09/009,837; 09/110,678; 09/111,160; 09/362,693; 09/009,455; 09/669,877; 09/111,003; 09/501,621; 09/225,687; 10/076,590; and 09/813,792.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne A. Langel whose telephone number is (703) 308-0248. The examiner can normally be reached on Monday through Friday from 8 A.M. to 3:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman, can be reached on (703) 308-3837. The fax phone number for this Group is (703) 305-7718.

Serial No. 09/362,693

-2-

Art Unit 1754

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2351.

WAL:cdc

February 20, 2003

Supplement to Interview Summary

The following is a supplement to the summary concerning the February 11, 2003 interview re 09/501,622, etc. The attendees were Mr. Melcher, Examiner Langel, Examiner Kalafut, Dr. Mills, Mr. Simenauer, SPE Stanley Silverman, SPE Pat Ryan, Congressional Aid Ted Liu, Mr. Brewer, Examiner Wayner, and QAS Douglas McGinty. A two-page Interview Summary was provided by Examiner Langel. A two page "Attachment to Interview Summary Form" also was provided by Mr. Simenauer. While the Attachment may represent the applicant's understanding of the interview, two points must be clarified.

First, the second page of the applicant's attachment states in part: "For those claims that are supported by the data, the PTO agrees to issue those claims." The PTO made no such agreement. Instead, the PTO representatives indicated that the rejections under both 35 USC 101 and 112, 1<sup>st</sup> para., are outstanding and that evidence as to verification by credible, established, independent third parties would carry more persuasive weight.

Second, QAS Douglas McGinty was not listed in the Examiner's Interview Summary. He was present during the interview with the aforementioned attendees.

Wayne Langel  
Primary Examiner  
Art Unit 1754

WAYNE A. LANGE  
PRIMARY EXAMINER



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

FEB 20 2003

Commissioner for Patents  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

Dear Patent Business Customer:

The United States Patent and Trademark Office ("Office") is now permitting and encouraging applicants to voluntarily submit amendments in a revised format as set forth in *AMENDMENTS IN A REVISED FORMAT NOW PERMITTED*, \_\_\_ *Off. Gaz. Pat. Office* \_\_\_ (February 25, 2003), currently available on the USPTO web site at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/revamdtprac.htm>. The revised format permits amendments to the specification and claims to be made in a single marked-up version; the requirement for a clean version is eliminated. Attached, you will find a flyer with information and instructions regarding the procedures to be used to comply with the revised format. The flyers are being inserted with out-going Office actions mailed during the period of February 20, 2003 - March 31, 2003.

The revised amendment format is essentially the same as the amendment format for the specification, claims, and drawings that the Office is considering adopting via a revision to 37 CFR 1.121 (Manner of Making Amendments). The revision to 37 CFR 1.121 (if adopted) will simplify amendment submission and improve file management. This proposed revision and others necessary to facilitate a gradual transition to the use of an Electronic File Wrapper (EFW) will be set forth in a Notice of Proposed Rule making (NPR), expected to be published by March 2003. After consideration of public comments, the Office anticipates adopting a revision to § 1.121, following publication of a Notice of Final Rule making (NFR), expected by June 2003, at which point compliance with revised § 1.121 will be mandatory.

The Office will continue to accept your amendment submissions in the revised format during the voluntary period, which will extend up to the effective date of final revisions to § 1.121. The Office also encourages your feedback on the proposed revised amendment format and other changes set forth in the NPR, expected to be published by March 2003.

For assistance: Any questions regarding the submission of amendments pursuant to the revised practice should be directed to Office of Patent Legal Administration (OPLA), Legal Advisors Elizabeth Dougherty ([Elizabeth.Dougherty@uspto.gov](mailto:Elizabeth.Dougherty@uspto.gov)), Gena Jones ([Eugenia.Jones@uspto.gov](mailto:Eugenia.Jones@uspto.gov)) or Joe Narcavage ([Joseph.Narcavage@uspto.gov](mailto:Joseph.Narcavage@uspto.gov)). Alternately, you may send e-mail to "Patent Practice", the OPLA e-mail address that has been established for receiving queries and questions about patent practice and procedures or telephone OPLA at (703) 305-1616.

Nicholas P. Godici  
Commissioner for Patents

Attachment: Flyer entitled: *Revised Notice\* AMENDMENTS MAY NOW BE SUBMITTED IN REVISED FORMAT*



APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/110678 7-7-98 M. Hs  
09/362693

EXAMINER
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W.A. Lange

ART UNIT	PAPER NUMBER
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1754 35

DATE MAILED:

### INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Melcher (3) Examiner Lange  
(2) Mr. Simenauer (4)

Date of Interview 4-14-03

Type: ☐ Telephonic ☐ Televideo Conference ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: all

Identification of prior art discussed: none

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The participants presented data establishing existence of lower energy hydrogen. Some of the data appeared to be missing from the file, and participants stated they would submit such data, separately independent (containing p. 2)

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

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page 1 of 2 Wayne A. Lange



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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/110678  
09/362693

EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

### INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) \_\_\_\_\_ (3) \_\_\_\_\_  
(2) \_\_\_\_\_ (4) \_\_\_\_\_

Date of Interview: \_\_\_\_\_

Type: ☐ Telephonic ☐ Televideo Conference ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached. ☐ was not reached.

Claim(s) discussed: \_\_\_\_\_

Identification of prior art discussed: \_\_\_\_\_

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: \_\_\_\_\_

*that results #43 and #44 on page 25 of the  
last response.*

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

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*page 2 of 2 Wayne A. Longel*